

**HALEY GUILIANO LLP**

JOSHUA V. VAN HOVEN (CSB No. 262815)

E-Mail: [joshua.vanhoven@hglaw.com](mailto:joshua.vanhoven@hglaw.com)

GREGORY J. LUNDELL (CSB No. 234941)

E-Mail: [greg.lundell@hglaw.com](mailto:greg.lundell@hglaw.com)

111 N Market Street, Suite 900

San Jose, California 95113

Telephone: 669.213.1050

Facsimile: 669.500.7375

RICHARD T. MCCAULEY (*pro hac vice*)

E-Mail: [richard.mccaulley@hglaw.com](mailto:richard.mccaulley@hglaw.com)

116 W. Hubbard, Unit 20

Chicago, IL 60654

Telephone: 312.330.8105

*Attorneys for Plaintiff and Counter-Defendant,*

SURGICAL INSTRUMENT SERVICE COMPANY, INC.

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

SURGICIAL INSTRUMENT SERVICE  
COMPANY, INC.,

*Plaintiff/Counter-Defendant,*

v.

INTUITIVE SURGICAL, INC.,

*Defendant/Counterclaimant.*

Case No. 3:21-cv-03496-VC

Honorable Vince Chhabria

**NOTICE OF FILING OF JOINT  
STIPULATION AND PROPOSED ORDER  
REGARDING DEPOSITION PROTOCOL  
IN RELATED CASE**

Complaint Filed: May 10, 2021

WHEREAS, fact discovery closes in this Case on November 10, 2022. *See* ECF No. 90.

WHEREAS, Plaintiff Surgical Instrument Service Company, Inc. (“SIS”) and Defendant Intuitive Surgical, Inc. (“Intuitive”), as well as Plaintiffs Larkin Community Hospital, Franciscan Alliance, Inc., and King County Public Hospital District No. 1 (the “Hospital Plaintiffs”) in *In Re: Da Vinci Surgical Robots Antitrust Litigation*, Case No. 3:21-CV-03825-VC (the “Related Case”), have engaged in discussions to facilitate an orderly process to take depositions in this Action and the Related Case prior to the discovery deadline.

WHEREAS, the parties have already begun scheduling depositions to ensure discovery can be complete by the November 10, 2022 deadline.

WHEREAS, SIS, the Hospital Plaintiffs, and Intuitive have collectively disclosed, pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i), more than 50 individuals who are likely to have discoverable information that the parties may use to support their claims or defenses.

WHEREAS, to ensure that the parties can efficiently and effectively coordinate taking depositions in this Action and the Related Case, SIS, the Hospital Plaintiffs, and Intuitive propose that a protocol govern depositions, the proposed stipulated protocol agreed by all parties and having been filed in the Related Case as ECF No. 93.

NOW THEREFORE, SIS hereby submits the Joint Stipulation and [Proposed] Order Regarding Deposition Protocol filed in the Related Case for the Court’s consideration, attached hereto as Attachment A.

Dated: September 12, 2022

Respectfully submitted,

**HALEY GUILIANO LLP**

By: / Joshua V. Van Hoven /

JOSHUA V. VAN HOVEN  
joshua.vanhoven@hglaw.com  
GREGORY J. LUNDELL  
E-Mail: greg.lundell@hglaw.com  
111 N Market Street, Suite 900  
San Jose, California 95113

RICHARD T. MCCAULLEY  
(*pro hac vice*)  
E-Mail: richard.mccaulley@hglaw.com  
116 W. Hubbard, Unit 20  
Chicago, IL 60654

*Attorneys for Plaintiff/Counterdefendant,*  
SURGICAL INSTRUMENT SERVICE  
COMPANY, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2022, I caused a copy of the foregoing **NOTICE OF FILING OF JOINT STIPULATION AND PROPOSED ORDER REGARDING DEPOSITION PROTOCOL IN RELATED CASE**, to be electronically filed and served electronically via the Court's CM/ECF system, which will send automatically serve notice to all registered counsel of record.

Dated: September 12, 2022

/ *Joshua V. Van Hoven* /

Joshua V. Van Hoven